

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

Before the Honorable Alan C. Torgerson, United States Magistrate Judge

Clerk's Minutes

CASE TITLE: *Health Care Services v. Southwest Trane, et al.* **DATE:** *January 14, 2011*

CASE NO: *09cv1213ACT/LFG*

LAW CLERK: *Julia C. Roberts*

REPORTER: *In chambers*

PROCEEDINGS COMMENCED: *3:00PM*

COURT IN RECESS: *3:30PM*

PLAINTIFF'S ATTORNEY PRESENT:

Dart Winkler

DEFENDANTS' ATTORNEYS PRESENT:

*S. Barry Paisner-Southwest Trane
Daniel W. Lewis-Peterson Water Treatment
Charles J. Noya-Peterson Water Treatment
Scott P. Hatcher-American Hallmark Insurance Co. of Texas*

TYPE OF PROCEEDING: *Final Pre-Trial Conference*

COURT'S RULINGS/PROCEEDINGS:

The Court set the following deadlines:

Plaintiff may file a motion to clarify the remaining issues to be tried no later than January 21, 2011.

Southwest Trane may respond no later than January 28, 2011.

Southwest Trane and Peterson Water Treatment will brief the issue of common law indemnification after the trial and that issue will be decided by the Court.

American Hallmark Insurance Company of Texas is to submit proposed Special Interrogatories to the Court no later than January 24, 2011. The Court will decide the issue of whether to submit Special Interrogatories after it receives Defendant Peterson Water Treatment's response to Memorandum Brief of Plaintiff-in-Intervention, American Hallmark Insurance Company of Texas, Proposing a Procedure for the Court's Resolution of the Coverage Issues [Doc. 119].